

**CITY COUNCIL**CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 93-287

CD-1, FD-1

RESOLUTION**ESTABLISHING A NEW POLICY FOR DISPUTED PUBLIC HIGHWAYS IN THE CITY AND COUNTY OF HONOLULU**

WHEREAS the State of Hawaii has enacted Act 288, Session Laws of Hawaii, Regular Session of 1993, the intent of which is to resolve the jurisdictional dispute between the State and the counties over ownership of certain disputed public highways; and

WHEREAS said Act 288 provides that, for counties having population in excess of 500,000 persons, the provision of Section 264-3, Hawaii Revised Statutes, which requires that a county remit to the State the proceeds from the sale of any county public highway that was formerly a state public highway, is abrogated; and

WHEREAS in consideration of the State waiving its right to have the proceeds from the sale of county public highways remitted to the State, the City and County of Honolulu is willing to acknowledge ownership and jurisdiction of all disputed public highways within its county limits; and

WHEREAS the City and County of Honolulu feels that by accepting the ownership and jurisdiction of all disputed public highways within its county limits, the City will finally put to rest the long-standing dispute with the State over such public highways and may now begin its earnest efforts to improve these highways, subject to availability of funds, for the benefit of the residents of the City and County of Honolulu; and

WHEREAS in order to facilitate improvements and maintenance of these highways, the City Administration is directed to accept funding from the State; now, therefore,

BE IT RESOLVED that the City and County of Honolulu implement the intent of Act 288 and accept all county highways as defined in Section 264-1, Hawaii Revised Statutes, as public highways under its ownership and jurisdiction.

BE IT FURTHER RESOLVED that, when transferring title for the purpose disposal of such county highways, the City and County of Honolulu shall be responsible for the preparation of the conveyancing documents which shall include, but not be limited to, a metes and bounds survey of the abandoned public highways, if necessary.

RESOLUTION

BE IT FURTHER RESOLVED that former policies of the City and County of Honolulu with respect to disputed public highways as set forth in Resolution Nos. 90-32, 88-426 and 88-425, CD-1, are hereby repealed.

BE IT FINALLY RESOLVED that upon its adoption, the City Clerk shall transmit a copy of this resolution to the Mayor and the Governor and to all appropriate agencies.

INTRODUCED BY:

Gary Gill (BR)

Councilmembers

DATE OF INTRODUCTION:

September 1, 1993

Honolulu, Hawaii

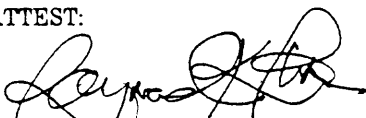
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CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

I hereby certify that the foregoing RESOLUTION was adopted by the COUNCIL OF THE CITY AND COUNTY OF HONOLULU on the date and by the vote indicated to the right.

ATTEST:


RAYMOND K. PUA
CITY CLERK


GARY GILL
CHAIR AND PRESIDING OFFICER

Dated SEP 29 1993

ADOPTED MEETING HELD			
SEP 29 1993			
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Reference:

Report No.

Resolution No.

93-287, CD-1, FD-1